

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Shawn Pritchett,

Petitioner

v.

Jo Gentry, *et. al.*,

Respondents.

Case No.: 2:17-cv-01694-JAD-DJA

**Order Dismissing Unexhausted Grounds
and Setting Briefing Schedule**

[ECF No. 94]

Nevada state inmate Shawn Pritchett brings a counseled petition for writ of habeas corpus under 28 U.S.C. § 2254 to challenge his conviction and sentence for conspiracy to commit murder, first-degree murder with the use of a deadly weapon, and robbery with the use of a deadly weapon.¹ I granted, in part, respondents' motion to dismiss, finding that ground 8 was time barred, grounds 1(a) through 1(e) were technically exhausted and procedurally defaulted, and grounds 2, 4, 6, and parts of 7 were unexhausted.² I instructed Pritchett to choose one of three options for proceeding in this case.³ Pritchett has chosen to abandon his unexhausted grounds for relief and proceed on the exhausted grounds, so he moves to dismiss those unexhausted grounds.⁴

Good cause appearing, IT IS ORDERED that Petitioner Shawn Pritchett's motion to dismiss **[ECF No. 94] is GRANTED**. Grounds 2, 4, 6, 7(a), and 7(b) are **DISMISSED without prejudice** as unexhausted.

¹ ECF No. 42.

² ECF No. 93.

³ *Id.*

⁴ ECF Nos. 94, 94-1.

1 IT IS FURTHER ORDERED that **respondents have until June 2, 2023, to answer**
2 **Pritchett's remaining grounds for relief.** In the answer, respondents must cite to and address
3 the applicable state court written decision and state court record materials, in any, regarding each
4 claim within the response as to that claim. Pritchett will have 60 days from the date of service of
5 the answer to file a reply.

6
7 
8 U.S. District Judge Jennifer A. Dorsey
9 April 3, 2023
10
11
12
13
14
15
16
17
18
19
20
21
22
23